

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GREGORY H. WOODS, United States District Judge:

The Court has received defendant David Glover's May 25, 2023 letter, Dkt. No. 165.

The defendant's application for bail modification is denied. As with Mr. Glover's most recent prior application, Dkt. No. 56, this application does not provide sufficient justification for a modification of the defendant's home incarceration condition. It does not support a finding that the need to protect the public against risk of flight or danger to the community and other people has changed since the date of the Court's imposition of the conditions of the defendant's pretrial release. The Court appreciates that the defendant would prefer a less-intrusive set of conditions of pretrial release, but that preference, and the benefits to the defendant of a less-intrusive set of conditions, does not change the Court's assessment of the relevant considerations. That the defendant has complied with his pretrial release conditions is expected; it does not change the Court's assessment of the defendant's risk of flight or danger to the community at this point in time. The Government's consent to the proposed modification does not dictate the Court's evaluation of the relevant factors or its conclusion. (Separately, the Court questions whether it is accurate to describe the Government's consent as reflecting a position that "Mr. Glover is not a danger to the community.")

In sum, the Court appreciates that the defendant would prefer to operate under less-restrictive conditions of pretrial release, but his submission does not provide sufficient information for the Court to conclude that a less-restrictive set of conditions would reasonably assure the appearance of the defendant as required and the safety of other people and the community.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 165.

SO ORDERED.

Dated: June 1, 2023



GREGORY H. WOODS
United States District Judge